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wherein the processor is further programmed to rewrite the vehicle control data of the non-volatile memory based on the rewrite control program stored in the volatile memory; and

wherein the vehicle control data and the new control data include a vehicle control program which the processor executes for controlling the vehicle.

### REMARKS

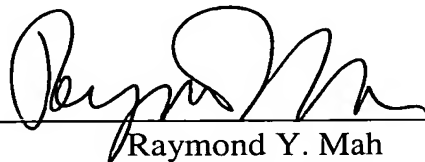
Reconsideration and allowance of this application are respectfully requested. Currently, claims 22-24 and 32-33 are pending in this application.

Attached hereto is a marked-up version of the changes made to the claims by the current Amendment. The attached is captioned "Version With Markings to Show Changes Made."

A first action on the merits is respectfully solicited. If the Examiner has any questions or believes that an interview would further prosecution of this application, the Examiner is invited to telephone the undersigned.

Respectfully submitted,

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**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

**IN THE CLAIMS:**

22. (Amended) A control unit comprising:

a volatile memory;

a nonvolatile memory storing a control program and control data therein;

a processor including a rewrite control program receiver and a communication speed changer;

the rewrite control program receiver [for] receiving a rewrite control program sent from an external device, the rewrite control program including a communication speed change section, including a communication speed change instruction, and a rewrite instruction section, and for storing the rewrite control program in the volatile memory; and

the communication speed changer [for], responsive to the communication speed change instruction received by the rewrite control program receiver, changing a data communication speed of data communication with the external device, which is used to send the rewrite instruction section from the external device.

23. (Unamended) The control unit of claim 22, wherein:

the communication speed change section further includes a send speed instruction;

the communication speed changer is for, prior to changing the data communication speed, receiving the send speed instruction and sending a signal indicative of a current communication speed to the external device responsive to the send speed instruction.

24. (Unamended)The control unit of claim 22, wherein:

the communication speed change instruction is provided preceding the rewrite instruction section in the rewrite control program sent from the external device.